

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: PATENT APPLICATION of:
 Inventor(s): F. Abel PONCE DE LEON et al.
 Appln. No.: 09/ 127,738

Group Art Unit 1633
 Examiner: M. Wilson
 Atty. Dkt. P 0275409

Series Code ↑ Serial No. ↑

Filed: August 3, 1998
 Title: Production of Avian Embryonic Germ (EG) Cell
 Lines By Prolonged Culturing of PGCs, Use
 Thereof For Cloning and Chimerization

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**DO NOT USE FOR PROVISIONAL,
 DIVISIONAL, CIP OR DESIGN
 APPLICATIONS, OR REEXAMINATION OF
 PATENTS**

Hon. Commissioner of Patents
 Washington, D.C. 20231

Date: September 3, 2002

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

SEP 09 2002

Please continue the examination of this application.

TECH CENTER 1600/2900

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action must be enclosed or previously filed.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendments filed June 13, 2002 and June 17, 2002
2. ☒ The enclosed Preliminary Amendment
3. ☐ Consider the arguments in the appeal brief filed ___ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement

<input type="checkbox"/> IDS Letter	<input type="checkbox"/> Cited Appln	<input type="checkbox"/> Foreign Search Report/OA
<input type="checkbox"/> PTO-1449		<input type="checkbox"/> Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of August 3, 2002 to
 cover the date this Request is filed. **PLEASE CHARGE** the requisite fee to our
 Deposit Account (see below)

(1 mo)	\$110/\$55	
(2 mos)	\$400/\$200	+ 55
(3 mos)	\$920/\$460	
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☐ \$740 (lg. ent.) ☒ \$370 (sm. ent.) plus any
 deficiency and any other fee due now or later to our Deposit
 Account No. 03-3975 under Order No. 015837 / 0275409
 002 BSSESHE1 00000100 033975 09127738 C# M#

**NOTE: Rule 17(e) filing fee Cannot be deferred!
 NO CLAIMS FEE REQUIRED** unless you are
 adding claims by box 2 Amendment in which case
 cover this with PAT-120.

370.00 CH
 55.00 CH

Pillsbury Winthrop LLP
 Intellectual Property Group

P.O. Box 10500
 McLean, VA 22102

By Atty: Robin L. Teskin

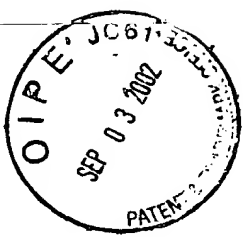
Reg. No. 35,030

(703) 905-2000
 Atty/Sec: RLT/af

Sig:

Fax: (703) 905-2500
 Tel: (703) 905-2200

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#26/F
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9/10/02

In re PATENT APPLICATION OF

F. Abel PONCE DE LEON et al.

Group Art Unit: 1633

Application No. 09/127,738

Examiner: Michael C. Wilson

Filed: August 3, 1998

Title: PRODUCTION OF AVIAN EMBRYONIC GERM (EG) CELL LINES BY PROLONGED
CULTURING OF PGCs, USE THEREOF FOR CLONING AND CHIMERIZATION

* * * * *

PRELIMINARY AMENDMENTHon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In addition to entering the Amendment filed June 3, 2002, and the Supplemental Amendment filed June 17, 2002, in the above-application, please amend the application as follows. Copies of the amended claims, marked to identify the changes that are made, are included in the attached appendix.

IN THE CLAIMS:

Claims 4, 15, and 25-30 are amended as follows:

F1
4. (Amended) The method of Claim 1, wherein said avian PGCs are obtained from
an avian of the order *Gallinaceae*.

F2
15. (Amended) The method according to Claim 14, wherein said PGCs are derived
from avian embryos of the order *Gallinaceae*.